

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

ANDREW MCINTOSH, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-00889 (LDW) (ETB)

BARRY LINZER, Individually and on Behalf of
All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-00957 (DRH) (ETB)

BRUCE KANTOR, individually and on Behalf
of All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-00967 (LDW) (ETB)

[CAPTION CONTINUES ON NEXT PAGE]

GEORGE WALKER, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-01003 (JS) (ETB)

PHILIP G. COLLINS, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-01277 (LDW) (ETB)

SERVAAS HOLTHUIZEN, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-01337 (LDW) (ETB)

[CAPTION CONTINUES ON NEXT PAGE]

GERALD J. VOGT and ELEANOR L. VOGT,
Individually and on Behalf of All Others
Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-01430 (LDW) (ETB)

TIMOTHY JOE GROVE, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

v.

VEECO INSTRUMENTS, INC.,
EDWARD H. BRAUN, and JOHN F.
REIN, JR.,

Defendants.

No.: 2:05-CV-01552 (LDW) (ETB)

NOTICE OF FILING

Please take notice that the undersigned has filed with the Judicial Panel on Multidistrict Litigation ("MDL Panel") a Motion to Transfer and Consolidate Actions ("Motion") pursuant to 28 U.S.C. § 1407 on behalf of defendants Veeco Instruments Inc., Edward H. Braun, and John F. Rein, Jr. The Motion, along with a Memorandum in Support thereof and the Declaration of Robert F. Serio (without exhibits), are attached hereto as Exhibits A-C, respectively. Defendants filed the attached Motion with the MDL Panel in the interest of judicial economy and in an attempt to avoid the possibility of inconsistent rulings with respect to the various motions to appoint lead plaintiff, motions to consolidate and motions to transfer that currently are pending before courts in the Eastern and Southern Districts of New York. Therefore, Defendants respectfully request that the Court refrain from ruling on any pending motions until the MDL Panel rules on defendants' Motion.

DATED: April 29, 2005

Respectfully submitted,



Robert F. Serio (RS-2479)
John A. Herfort (JH-1460)
Gibson, Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166
(212) 351-4000

***Counsel for Defendants Veeco Instruments Inc.,
Edward H. Braun, and John F. Rein, Jr.***

CERTIFICATE OF SERVICE

I hereby certify, under penalty of perjury pursuant to 28 U.S.C. § 1746, that on this 29th day of April, 2005, I caused true and correct copies of a Notice of Filing of Defendants' Motion To Transfer and Consolidate For Pretrial Proceedings and Memorandum in Support thereof, and the Declaration of Robert F. Serio (without exhibits) to be filed with the clerk of each district court in which an action is pending that will be affected by the Motion, and to be served by Federal Express on each of the following counsel:

A handwritten signature in black ink, appearing to read "Ross Wallin", written over a horizontal line.

J. Ross Wallin

<i>Counsel for Actions Pending in E.D.N.Y.</i>	
<p>Evan J. Smith, Esq. Marc L. Ackerman, Esq. BRODSKY & SMITH, LLC 240 Mineola Boulevard Mineola, NY 11501 Tel: (516) 741-4977 Fax: (610) 667-9029 Email: Esmith@brodsky-Smith.com</p> <p><i>Counsel for Plaintiff Andrew McIntosh</i></p>	<p>Marc A. Topaz, Esq. Richard A. Maniskas, Esq. SCHIFFRIN & BARROWAY, LLP 280 King of Prussia Rd. Radnor, PA 19087 Tel: (610) 667-7706 Fax: (610) 617-7056</p> <p><i>Counsel for Plaintiff Andrew McIntosh</i></p>
<p>Marc C. Gardy, Esq. ABBEY GARDY, LLP 212 East 39th Street New York, NY 10016 Tel: (212) 889-3700 Fax: (212) 684-5191 Email: Mgardy@abbeygardy.com</p> <p><i>Counsel for Plaintiff Barry Linzer</i></p>	<p>Samuel H. Rudman, Esq. David H. Rosenfeld, Esq. Mario Alba, Jr., Esq. LERACH COUGHLIN STOIA GELLER RUDMAN & ROBBINS LLP 200 Broadhollow Road, Suite 406 Melville, NY 11747 Tel.: (631) 367-7100 Fax: (631) 367-1173 Email: Drosenfeld@lerachlaw.com</p> <p><i>Counsel for Plaintiff Bruce Kantor</i></p>
<p>Charles J. Piven, Esq. LAW OFFICES OF CHARLES J. PIVEN, P.A. The World Trade Center Baltimore Suite 2525 401 East Pratt Street Baltimore, MD 21202 Tel: (410) 332-0030 Fax: (410) 685-1300</p> <p><i>Counsel for Plaintiff George Walker</i></p>	<p>Steven G. Schulman Peter E. Seidman Sharon M. Lee MILBERG WEISS BERSHAD & SCHULMAN LLP One Pennsylvania Plaza – 49th Floor New York, NY 10119 Tel: (212) 594-5300 Fax: (212) 868-1229</p> <p><i>Counsel for Plaintiff George Walker</i></p>

<p>Sherrie R. Savett Phyllis M. Parker BERGER & MONTAGUE, P.C. 1622 Locust Street Philadelphia, PA 19103 Tel: (215) 875-3000 Fax: (215) 875-4604</p> <p><i>Counsel for Plaintiff George Walker</i></p>	<p>Catherine A. Torell, Esq. COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C. 150 East 52nd Street, 30th Floor New York, NY 10022-6017 Tel.: (212) 838-7797 Fax: (212) 838-7745 Email: Ctorell@cmht.com</p> <p><i>Counsel for Plaintiff Phillip G. Collins</i></p>
<p>Steven J. Toll, Esq. Daniel S. Sommers, Esq. Julie Goldsmith Reiser, Esq. COHEN, MILSTEIN, HAUSFELD & TOLL, P.L.L.C. 1100 New York Avenue, N.W. West Tower, Suite 500 Washington, D.C. 20005-3964 Tel: (202) 408-4600 Fax: (202) 408-4699 Email: Stoll@cmht.com</p> <p><i>Counsel for Plaintiff Phillip G. Collins</i></p>	<p>Fred T. Isquith, Esq. Christopher S. Hinton, Esq. WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP 270 Madison Avenue, 11th Floor New York, NY 10016 Tel: (212) 545-4600 Fax: (212) 545-4653 Email: Isquith@whafh.com</p> <p><i>Counsel for Plaintiff Servaas Holthuizen</i></p>
<p>Brian M. Felgoise, Esq. LAW OFFICES OF BRIAN M. FELGOISE, P.C. 261 Old York Road – Suite 423 Jenkintown, PA 19046 Tel: (215) 886-1900 Fax: (215) 886-1909 Email: FelgoiseLaw@aol.com</p> <p><i>Counsel for Plaintiff Servaas Holthuizen</i></p>	<p>Marc Henzel, Esq. LAW OFFICES OF MARC HENZEL 273 Montgomery Avenue, Suite 202 Bala Cynwd, PA 19004 Tel: (610) 660-8000 Fax: (610) 660-8080 Email: mhenzell82@aol.com</p> <p><i>Counsel for Plaintiff Servaas Holthuizen</i></p>

<p>Jules Brody, Esq. Aaron Brody, Esq. Tzvia Brody, Esq. STULL, STULL & BRODY 6 East 45th Street New York, NY 10017 Tel: (212) 687-7230 Fax: (212) 490-2022 Email: Ssbny@aol.com</p> <p><i>Counsel for Plaintiffs Gerald J. Vogt and Eleanor L. Vogt</i></p>	<p>Joseph H. Weiss, Esq. WEISS & LURIE 551 Fifth Avenue New York, NY 10176 Tel: (212) 682-3025 Fax: (212) 682-3010</p> <p><i>Counsel for Plaintiffs Gerald J. Vogt and Eleanor L. Vogt</i></p>
<p>Curtis V. Trinko, Esq. LAW OFFICES OF CURTIS V. TRINKO, LLP 16 West 46th Street, 7th Floor New York, NY 10036 Tel: (212) 490-9550 Fax: (212) 986-0158 Email: Ctrinko@trinko.com</p> <p><i>Counsel for Plaintiff Timothy Joe Grove</i></p>	<p>Alfred G. Yates, Esq. LAW OFFICES OF ALFRED G. YATES, JR. 519 Allegheny Building 429 Forbes Avenue Pittsburgh, PA 15219 Tel: (412) 391-5164 Fax: (412) 471-1033 Email: Yateslaw@aol.com</p> <p><i>Counsel for Plaintiff Timothy Joe Grove</i></p>